

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

XTC CABARET (DALLAS) INC. D/B/A §
XTC CABARET et al. §
Plaintiffs, §
§
v. § Civil Action No. 3:24-CV-00042-B
§
THE CITY OF DALLAS TEXAS et al., §
Defendants. §

DEFENDANT'S UNOPPOSED MOTION FOR WITHDRAWAL OF COUNSEL

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Defendant City of Dallas on behalf of itself and its nonjural subdivision the Dallas Police Department (together, the “City”) files this unopposed motion and requests that Kathleen M. Fones be permitted to withdraw as counsel in this case. In support of this motion and as required by Local Rule 83.12(a), Defendant states:

1. Kathleen M. Fones has previously appeared as counsel for Defendant and is listed as an attorney of record, Texas Bar No. 24050611.
2. Ms. Fones is resigning from the Dallas City Attorney’s Office. Defendant will continue to be represented by Andrew G. Spaniol, Stacy J. Rodriguez, and Ryan T. Crocker who have already appeared in this case and will serve as lead counsel.
3. Defendant consents to her withdrawal, with no present need to substitute any counsel.
4. None of the other parties oppose this motion.
5. Grant of this motion will not prejudice any party, nor cause any delay.

6. Accordingly, Defendant respectfully requests that Kathleen M. Fones be allowed to withdraw as counsel for Defendant in this case. Further, the clerk is requested to terminate CM/ECF notices to Ms. Fones for this civil action.

Respectfully submitted,

TAMMY L. PALOMINO
CITY ATTORNEY

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ATTORNEYS FOR CITY OF DALLAS

CERTIFICATE OF CONFERENCE

I certify that on October 11, 2024, I conferred with the opposing party via email and Plaintiffs are unopposed.

By: /s/ Kathleen M. Fones

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was submitted to the Clerk of Court using the CM/ECF System for such electronic filing on this 11th day of October, 2024. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to all parties registered under the CM/ECF System to receive service electronically.

By: /s/ Kathleen M. Fones